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ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

vs.

HANNAH'S INC.,

Defendant.

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex (female) and to provide appropriate relief to Amber Willett, who was adversely affected by such practices. The

Equal Employment Opportunity Commission (Plaintiff or EEOC) alleges that Hannah's Inc. (Defendant) doing business as Hannah the Pet Society during the period of alleged discriminatory actions (1) subjected Willett to an unlawful hostile work environment because of her sex; and (2) constructively discharged Willett. Plaintiff seeks monetary and injunctive relief for Willett, including pecuniary damages, nonpecuniary compensatory damages, punitive damages, back pay and prejudgment interest.

### JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e-5(f)(1) and (3) (Title VII), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the District of Oregon.

### PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission, is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII, and is expressly authorized to bring this action by Section 706(f)(1) and (3) of Title VII, 42 U.S.C. §§2000e-5(f)(1) and (3), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

4. On information and belief, the entity Hannah's LLC operated as Hannah the Pet Society during all relevant times, and on or about July 24, 2020 merged with Defendant Hannah's Inc. Also on information and belief, as the surviving entity following the merger and having maintained business operations without interruption, Defendant Hannah's Inc. thus has

1 continuously been doing business in the State of Oregon and has continuously had at least fifteen  
2 (15) employees.

3 5. On information and belief, the entity Hannah's LLC operated as Hannah the Pet  
4 Society during all relevant times, and on or about July 24, 2020 merged with Defendant  
5 Hannah's Inc. Also on information and belief, as the surviving entity following the merger and  
6 having maintained business operations without interruption, Defendant Hannah's Inc. thus has  
7 continuously been an employer engaged in an industry affecting commerce within the meaning  
8 of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and (h).  
9

10 ADMINISTRATIVE PROCEDURES

11 6. More than thirty (30) days prior to the institution of this lawsuit, Charging Party  
12 Amber Willett filed Charge No. 551-2018-02481 with the EEOC alleging violations of Title  
13 VII by Defendant.  
14

15 7. On March 2, 2020, the Commission issued to Defendant a Letter of  
16 Determination as to the above charge finding reasonable cause to believe Title VII was violated  
17 and inviting Defendant to join with the Commission in informal methods of conciliation to  
18 endeavor to eliminate the unlawful employment practices and to provide appropriate relief.  
19

20 8. The Commission engaged in communications with Defendant to provide  
21 Defendant the opportunity to remedy the discriminatory practices described in the Letter of  
22 Determination.

23 9. On June 18, 2020, the Commission issued to Defendant a Notice of Failure of  
24 Conciliation advising that the Commission was unable to secure from Defendant a conciliation  
25 agreement acceptable to the Commission.

10. All conditions precedent to the institution of this lawsuit have been fulfilled.

STATEMENT OF CLAIMS

11. Defendant employed Willett as a Pet Nurse at its Hannah's Inc. facility doing business as Hannah the Pet Society in Tigard, Oregon from November 27, 2017 until June 2, 2018.

12. Since at least December 1, 2017, Defendant has engaged in unlawful employment practices at its Tigard, Oregon facility, in violation of §703(a) of Title VII, 42 U.S.C. § 2000e-2(a), when Defendant's Chief of Staff (male) subjected Willett to a hostile work environment based on her sex (female). Defendant's Chief of Staff made on-going unwelcome comments of a sexual nature, including asking her what sounds came from her bedroom when her boyfriend was over, and telling her she did not need to wear a bra because she had "nothing there." Defendant's Chief of Staff also asked Willett's roommate and direct supervisor, the Director of Nursing, to record the sounds coming from Willett's bedroom when her boyfriend was over.

13. Defendant's Chief of Staff also made on-going, unwelcome comments denigrating women, such as "Shut up woman" and "stupid woman." On a daily basis, Defendant's Chief of Staff referred to women as "bitches" and sometimes as "whores."

14. In December 2017, Willett complained to her immediate supervisor about the verbal sexual harassment that the Chief of Staff subjected her to. However, her supervisor had been complaining to management since 2016 about the Chief of Staff's on-going sexual harassment of female employees, and Defendant failed to investigate or remedy the hostile work environment. In January 2018, Willett confronted the Chief of Staff directly and objected to his sexual harassment. When the Chief of Staff continued to sexually harass Willett, she complained to Human Resources in April 2018.

19. The unlawful employment practices complained of above in paragraphs 11 through 16 were done with malice or with reckless indifference to the federally protected rights of Amber Willett.

Wherefore, the Commission respectfully requests that this Court:

B. Order Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for all employees because of their sex (female), and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant to make whole Amber Willett by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Defendant to make whole Amber Willett by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 11 through 16 above, including past and future out-of-pocket losses, in amounts to be determined at trial.

E. Order Defendant to make whole Amber Willett by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraphs 11 through 16 above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

F. Order Defendant to pay Amber Willett punitive damages for its malicious and reckless conduct, as described in paragraphs 11 through 16 above, in amounts to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

H. Award the Commission its costs of this action.

#### JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

DATED this 29th day of September 2020.

BY: /s/ Roberta L. Steele  
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 Regional Attorney  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing Complaint with the Clerk of the Court using the CM/ECF system.

DATED this 29th day of September, 2020

/s/ Rebecca Eaton  
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